



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

March 1, 2017

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Re: Petitions for Agency Reconsideration and Stay
Arkansas Regional Haze

Dear Mr. Bronni, Ms. Ewing, Mr. Bumpers, Ms. Jezouit, Ms. Mallick, Ms. Loiacano, and Mr. Wood:

This letter concerns petitions from the State of Arkansas, dated November 22, 2016, from Entergy, dated November 23, 2016, from Arkansas Electric Cooperative Corporation (AECC), dated November 23, 2016, and from Energy Environmental Alliance of Arkansas (EEAA), dated November 28, 2016, to the U.S. Environmental Protection Agency (EPA) requesting reconsideration and an administrative stay of provisions of EPA's final rule entitled "Promulgation of Air Quality Implementation Plans; State of Arkansas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan," 81 FR 66332 (September 7, 2016), pursuant to section 307(d)(7)(B) of the Clean Air Act (CAA) and section 705 of the Administrative Procedure Act.

EPA intends to issue a Federal Register notice initiating a reconsideration process as to only the following issues: 1) timing of compliance with NOx emission limits at Flint Creek, White Bluff, and Independence; 2) the appropriate low load NOx emission limits for White Bluff and Independence; 3) the appropriate SO2 emission limits for White Bluff and Entergy's future plans for White Bluff; and 4) timing of compliance with SO2 emission limits at Independence. Note that as to the NOx compliance dates and low-load NOx limits, EPA did not specifically request comment on the 18-month compliance dates for NOx controls or the specific low-load NOx limit in the FIP. Reconsideration will allow for additional public comment on these issues. Also, since EPA intends to reconsider the compliance deadlines for the NOx emission limits for Independence, it would be prudent to reconsider the compliance dates for the SO2 limits for Independence at the same time.

This letter does not address other requests for reconsideration raised in the petitions. Nor does it address the merits of, or suggest a concession of error on, any issue raised in the petitions.

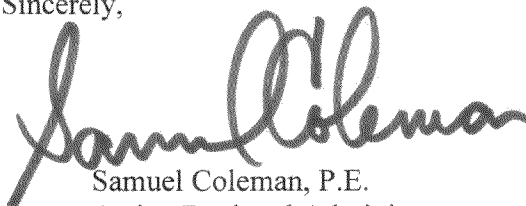
As part of the reconsideration process, EPA expects to provide an opportunity for notice and comment. EPA intends to stay for 90 days the particular rule provisions that it is reconsidering as listed above. This stay will be effective upon publication in the Federal Register. It will apply only to any requirements incurred during the 90-day stay period. This stay will not affect the ultimate compliance deadlines for rule provisions that EPA is reconsidering. As part of the reconsideration process, EPA intends to toll these deadlines or take other appropriate action.

If you have questions regarding the reconsideration process, please contact us or your counsel may contact Barbara Nann at (214) 665-2157. If you have any questions or wish to discuss the litigation, please have your counsel direct inquiries to Samara Spence, Department of Justice, at (202) 514-2285.



Sarah Dunham
Acting Assistant Administrator
Office of Air & Radiation

Sincerely,



Samuel Coleman, P.E.
Acting Regional Administrator
Region 6